

**Title 9--DEPARTMENT OF
MENTAL HEALTH
Division 45--Division of *[Mental
Retardation and]* Developmental
Disabilities
Chapter 3—*[Care and Habilitation]* Services and Supports**

9 CSR 45-3.060 *[Autism]* Services for Individuals with Autism Spectrum Disorder

PURPOSE: *This amendment modifies the rule to comply with RSMo Section 633.220, which became effective August 2, 2009 and updates the rule with more current terminology in the field of developmental disabilities.*

PURPOSE: *This rule establishes programs and services for persons with autism and their families.*

(1) Terms defined in sections 630.005, *[and]* 633.005, and **633.220**, RSMo are incorporated by reference for use in this rule. Also, the following terms mean:

(A) **Autism spectrum disorder (ASD)**--a group of neurodevelopmental disorders characterized by persistent deficits in social communication and social interaction across multiple contexts as well as by restricted, repetitive patterns of behaviors, interests or activities. Symptoms of ASD must be present in the early developmental period and cause significant impairment in social, occupational or other important areas of functioning. *[a lifelong developmental disability that typically appears during the first three (3) years of life resulting from a neurological disorder that affects brain functioning which interferes with communication, learning, behavior and social development];*

(B) Family support--services and helping relationships for the purpose of maintaining and enhancing family caregiving. Family support may be any combination of services that enable individuals with autism to reside within their family homes and remain integrated within their communities. Family support services are--

1. Based on individual and family needs;
2. Easily accessible for the family;
3. Family-centered and culturally sensitive;
4. Flexible and varied to meet the changing needs of the family members;
5. Identified by the family; and
6. Provided in a timely manner contingent upon availability of resources; and

(C) Service provider—a **person** or an entity which provides and receives reimbursement for autism programs and services as specified in section (3) of this rule.

(2) The Division of *[Mental Retardation and]* Developmental Disabilities (division) shall establish programs and services for persons with autism. The **division shall establish such** programs and services *[shall be established]* in conjunction with **persons with ASD and their families**. **The programs and services** *[of persons with autism and]* shall be designed to enhance the **abilities of persons with ASD and their families'** abilities to meet needs they identify. The programs and services shall--

(A) Develop skills for persons with autism through *[training]* **supports, services and teaching;**

(B) *[Train]* **Teach** families to *[manage behaviors of members with autism]* **provide behavioral supports to members with autism;** and

(C) Provide needed family support.*[/; and]*

[(D) Cooperate with other agencies.]

(3) *[The division shall establish autism programs and services as follows:*

(A) Central Missouri Autism Project to serve clients of the Kirksville, Hannibal, Rolla, and Central Missouri Regional Centers;

(B) East Missouri Autism Project to serve clients of the St. Louis Regional Center;

(C) Northwest Missouri Autism Project to serve clients of the Albany and Kansas City Regional Center;

(D) Southeast Missouri Autism Project to serve clients of the Poplar Bluff and Sikeston Regional Centers; and

(E) Southwest Missouri Autism Project to serve clients of the Joplin and Springfield Regional Centers.] **The division director, with input from the Missouri Parent Advisory Committee on Autism, shall divide the state into at least five regions and establish autism programs and services which are responsive to the needs of persons with autism and families consistent with contemporary and emerging best practices. The boundaries of such regions, to the extent practicable, shall be contiguous with relevant boundaries of political subdivisions and health service areas. Such regions shall be referred to as regional autism projects in this rule.**

(4) *[The Central, East, Northwest, Southeast, and Southwest Missouri Autism Projects]* **Regional autism projects** may provide **or purchase**, but shall not be limited to, the following services **in addition to other contemporary and emerging evidence-based practices:**

(A) Assessment;

(B) Advocacy training;

(C) Behavior management training and supports;

(D) Communication and language therapy;

(E) Consultation on individualized education and habilitation plans;

(F) Crisis intervention;

(G) Information and referral assistance;

(H) Life skills;

(I) Music therapy;

(J) Occupational therapy, sensory integration therapy, and consultation;

(K) Parent or caregiver training;

(L) Public education and information dissemination;

(M) Respite care; and

(N) Staff training.

(5) *[The Central, East, Northwest, Southeast, and Southwest Missouri]* **Regional Autism Projects** shall each have parent advisory *[committees]* **councils** composed of from seven to nine (7 - 9) persons that have family members with autism, including family members that are young children, school-age children, and adults. The members shall be Missouri residents and their family members with autism shall have met the division's eligibility requirements specified under 630.005, RSMo.

(A) One-third (1/3) of the members serving on July 1, 1995, shall continue to serve until July 1, 1996. One-third (1/3) shall serve until July 1, 1997, and the remaining one-third (1/3) shall serve until July 1, 1998. Length of those terms shall be determined by drawing lots.

(B) Upon expiration of members' terms, new members shall be nominated by the *[committees]* **councils** for three (3)-year terms or until their successors have been elected. New members of each of the five (5) parent advisory **councils** shall be appointed by the *[respective district deputy]* **division director or designee** from nominations submitted by the parent advisory *[committee]* **councils**. No member shall serve more than two (2) consecutive three (3)-year terms. No *[committee]* **council** member shall be a service provider, a member of a service provider's board of directors, or an employee of a service provider **or the division**. *[The Central, Northwest, Southeast, and Southwest Missouri Autism Projects a]* Advisory *[committees]* **councils** shall be encouraged to maintain membership from each region within their project boundaries. *[The East Missouri advisory committee shall be encouraged to maintain membership from each county within the region and from the City of St. Louis.]* The *[committees]* **councils** shall make every effort to elect members to represent the cultural diversity of the project areas and to represent persons with autism of all ages and capabilities.

(C) Each *[committee]* **council** shall elect a chairperson, vice-chairperson, and secretary. Annual elections shall occur in July. The *[committees]* **councils** shall meet bimonthly or more often at the call of the chairpersons. A simple majority of the membership shall constitute a quorum.

(D) Each *[committee]* **council** shall establish bylaws specific to the *[committee's]* **council's** project area and consistent with parameters established by the Missouri **Parent** Advisory Committee on Autism set out in section (6).

(E) The *[committees']* **councils'** responsibilities shall include, but not be limited to, the following:

1. Advocacy;
 2. Contract monitoring;
 3. Review of annual Department of Mental Health (department) audits of projects;
 4. Recommendation of services to be provided based on input from families;
 5. Recommendation of policy, budget and service priorities;
 6. Monthly review of service delivery;
 7. Planning;
 8. Public education and awareness;
 9. Recommendation of service providers to the division for administration of the projects;
- and
10. Recommendation of contract cancellation.

(F) In the event a parent advisory *[committee]* **council** disagrees with a decision of the *[district deputy]* director's **designee** related to operation of the autism project, the issue may be referred to the Missouri Parent Advisory Committee on Autism for its recommendation to the division director.

(6) The division shall establish the Missouri **Parent** Advisory Committee on Autism. It shall be composed of two (2) representatives and one (1) alternate from each of the five (5) **regional parent** advisory *[committees]* **councils** set out in this rule. It shall also include one (1) person with autism and one (1) alternate, a person with autism, who are not members of a parent advisory *[committee]* **council**. The committee shall be appointed by the division director.

(A) The division director shall make every effort to appoint members nominated by the parent advisory *[committees]* **councils**. The membership should represent the cultural diversity of the state and represent persons with autism of all ages and capabilities;

(B) One-third (1/3) of the members serving on January 1, 1995, serve until January 1, 1996. One-third (1/3) shall serve until January 1, 1997, and the remaining one-third shall serve until January 1, 1998. Length of those terms shall be determined by drawing lots.

(C) Upon expiration of the terms, members shall be appointed by the division director for three (3)-year terms or until their successors have been appointed.

(D) At its annual meeting in July, the **Missouri Parent Advisory C[c]ommittee on Autism** shall elect a chairperson, a vice-chairperson and a secretary. The committee shall meet quarterly or more often at the call of the chairperson. A simple majority of the membership shall constitute a quorum.

(E) The committee's responsibilities shall include, but not be limited to, the following:

1. Communication with the projects set out in section (3) to provide up-to-date information to them and the families they serve;
2. Determining project outcomes for autism services;
3. Determining roles and responsibilities of the parent advisory committees set out in section (5);
4. Development of positive relationships with the Department of Elementary and Secondary Education and local school districts;
5. Establishing *[statewide]* policy for the **Missouri Parent Advisory Committee on Autism**;
6. Fostering unity with and among the project set out in section (3) to ensure joint support for legislative, budget and other issues;
7. Planning and sponsorship of statewide activities;
8. Provision of program recommendations to the division;
9. Recommendation of service providers to the division director in the event a parent advisory committee and district deputy director cannot reach consensus; and
10. Recommendation of issue resolutions to the division director; **and**
11. **Submission of an annual report to the Missouri Commission on Autism Spectrum Disorders, the governor, the director of the Department of Mental Health, and the director of the Division of Developmental Disabilities.**

AUTHORITY: section 630.050. and 630.220. Original rule filed Feb. 6, 1995, effective Sept. 30, 1995. Amended: Filed July 31, 1998, effective Jan. 30, 1999.*

**Original authority 1980, amended 1993, 1995.*